

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

ANDREW DAYS  
115 Polifly Road, #2H  
Hackensack, New Jersey 07601  
Ph. (646) 352-2349  
eMail:andrewarcher9@yahoo.com  
Pro Se

**MALIBU MEDIA, LLC,**

*Plaintiff,*

v.

**ANDREW DAYS,**

*Defendant.*

Hon. Stanley R. Chesler, U.S.D.J.

Civil Action No. 2-14-cv-05337-SRC-CLW

CIVIL ACTION

RETURN DATE:

**NOTICE OF MOTION TO  
DISMISS COMPLAINT**

Document Filed By Regular Mail

TO: Patrick J. Cerillo, Esq.  
4 Walter Foran Boulevard, Suite 402  
Flemington, NJ 08822  
eMail: [pjcerillolaw@comcast.net](mailto:pjcerillolaw@comcast.net)  
*Attorney for Plaintiff*

PLEASE TAKE NOTICE that on \_\_\_\_\_, 2015, at 10:00 a.m., or as soon thereafter as counsel be heard, plaintiffs shall move before the Hon. Stanley R. Chesler, U.S.D.J., at the United States District Court, 50 Walnut Street, Newark, New Jersey, for an Order Dismissing plaintiff's Complaint, for failure to state a claim upon which relief can be granted, pursuant to Fed. R. Civ. R. 12(b)(6), and for other and further relief as the Court deems necessary and proper.

PLEASE TAKE FURTHER NOTICE that this defendant shall rely on the Brief annexed hereto.

Any opposition must be served and filed at least fourteen days prior to the return date of this motion.

ANDREW DAYS  
Defendant Pro Se

Dated: April 22, 2015

By: /s/ Andrew Days  
Andrew Days  
eMail: andrewarcher9@yahoo.com

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**CERTIFICATION OF SERVICE**

1. I, Andrew Days, defendant, hereby certify that on April 22, 2015, I mailed this defendant's Notice of Motion to Dismiss the Complaint, along with defendant's Brief and proposed form of Order, with the Clerk of the District Court using regular mail, which sent notification of such filing to the following:

Patrick J. Cerillo, Esq.  
4 Walter Foran Boulevard, Suite 402  
Flemington, NJ 08822  
eMail: [pjcerillolaw@comcast.net](mailto:pjcerillolaw@comcast.net)

2. On April 22, 2015, I also placed into the U.S. mail a courtesy copy of all moving papers to the Hon. Stanley R. Chesler, U.S.D.J., United States District Court, 50 Walnut Street, Newark, New Jersey 07102, via regular mail.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: April 22, 2015

/s/ Andrew Days

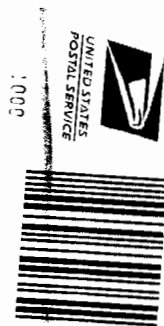
Andrew Days

eMail: [andrewarcher9@yahoo.com](mailto:andrewarcher9@yahoo.com)

Andrew Days  
115 Polifly Road #2H  
Hickensack, NJ 07601

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Newark, 07101



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